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The Right to Freedom

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MINSK, 1991.

LONG LIVE A STRIKE?

ARE THE ACTIONS OF THE SPRING OF 1991 GOING TO BE REPEATED?

It's always possible to find historical parallels to any phenomenon and thanks to these comparisons it can be perceived differently more boldly and with contrast. And dispensing with likeness one can predict with a high degree of probability the way the actions will develop further. The current economic and political situation in Belarus strongly reminds of that one of the beginning of 1991. All spheres of life were under crisis. Inflation «absorbed» all people's savings, the wages were cut off up to «poverty» level, the shelves of shops were empty. The USSR, this giant on ceramic legs was going to ruin before our eyes. The dramatic actions in Vilna (the capital of Lithuania), the elections of the first Russian president, GKChP (coup d'etat), the parade of sovereignties and finally, Vyskuly – summed up that historical year. There was one more thing, which obviously, was marked as a historical event: mass spring strikes in the former quiet marsh Belarus.

Firstly, it was poverty pushed workers into Minsk streets. But gradually to economic demands were added political ones and of independent character. Workers realised that it was necessary to change the regime completely of you want any changes. Exactly on the peak of worker's movement Stanislaw Shushkevich came to power.

It was only 8 years ago, but it has been forgotten to a great degree. During this time our close and distant neighbours have built their own independent states, have established more or less decent way of living with elements of that stability, which is so widely spoken of in Belarus when remembering the USSR. As to our country it is neither in the «heat» or in the «cold». Orientation to renewing of the USSR, «populism and simple political and economic ignorance, «market socialism» with strict central ruling and dictatorship brought Belarus to a deep crisis and it seems impossible to overcome it with preservation of our current authorities.

It was clear long ago, but it had become obvious just this autumn , after the black August 17 in Russia. At that time inflation and tiny wages made the life of common people unbearable. Influenced by workers' unrest Free and official Trade Unions started to negotiate with the authorities brining forward more strict demands. Last autumn Trade

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CHRONICLE

On January 14, **at 22.00 the officials of the Soviet Department of Internal Affairs came to the house of chairman of public reception of the Human Rights Centre «Viasna-96» Lubow Luniova. They gave her a subpoena, saying that she was to come on January 16 to the Central Department to make a report for participation in a non-authorised meeting on December 6 dedicated to the 50th anniversary of the Universal Declaration of Human Rights. The thing is that on February 6, a 2-month time, during which against a citizen can be instituted administrative proceedings, comes to an end.**

On January 15, **the Brest City Executive Committee didn't permit Uladzimir Vyalichkin, an activist of the Human Rights Centre «Viasna-96» to stage pickets aimed against serious violation of the Constitution of the Republic of Belarus – integration with Russia. The pickets were to take place on January 23 and 29. In the City Executive Committee refusal it's said that Savetskaya Street, in which U.Vyalichkin planned to stage a picket under the decision of the Brest City Executive Committee № 887 from the 15 of October, 1998 is one of the places where it's prohibited to stage meetings or pickets.**

In January, 1999 **the leadership of the prin-ting house in Rechytsa (Gomel district), in spite of the official agreement, refused to publish the independent newspaper «Gomelskaya Dumka». Rygor Stsepanenka, chairman of the district administration of press prohibited to publish the newspaper. He considered that «Gomelskaya Dumka» in its articles insults the presidential «vertical».**

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But Ministry of Justice keeps silence...

The prosecution of private notaries goes on in Belarus

The process of economic prosecution of private notaries, under the President's decree is in full swing. On January 14, it took the Minsk City Court only 10 minutes to remain valid decision of 158 mln and 800 thousand roubles fine on a private notary, Volga Lisowskaya. Ms. Lisowskaya's case was heard with the participation of the prosecutor of the city prosecutor's office, Meshcharakova, whose arguments were taken into consideration without any doubts by the board of Justice.

The cases with the same result, initiated by the prosecutor's office, are considered nowadays in different Belarusan cities. In case private notaries try to dispute the verdict in high instances, to the surplus, which is confiscated by the state, are added also court costs on review of the case. And considerable ones. For example, in Volga Lisowskaya's case this «addition» was 18 mln roubles. And under court rules, the sum of costs on the review of the case depends on the sum of money in dispute (or estate). It's clear, that by doing so the state doesn't make it possible to search for the justice by appealing with complaints to high instances. Moreover these search are in vain. We would like to remind that so-called debts of Volga Lisowskaya's colleagues to the state budget alter the President's decree have reached 1,5 – 2 mlrd roubles.

After the attempt of the Belarusan Notary Chamber to negotiate and to meet a compromise with the President's Administration, the authorities pretended to make a compromise in the way they see it. If private notaries voluntarily give the state what it demands illegally, they are promised to offer a 30% discount. As well as privileges in renting. But these promises are not kept in reality.

But organisations, the owners of renting premises, don't want to give these even not considerable privileges, which are declared by the presidential Administration, to volunteers. The owners of renting premises say that they are not given any instructions by the Administration. These privileges behind the backs of those who have to put them into practice are the means of extorting money from the private notaries.

The private notaries themselves feel hurt not by the author of this ruining decree – Lukashenka, they believe that he is not an expert in jurisdiction, but by people with law education, by people from his surrounding. Any student of law department knows that a law, moreover a decree, can't be retroactive. The position of the Ministry of Justice is the most incomprehensible in this respect. The Ministry of Justice which at the beginning of 90s was the main initiator of experiments with the private notary, nowadays simply keeps silence and doesn't even think of saying a word for its own «child».

Our correspondent

Long live a strike?

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Unions, first official ones, «believed» the authorities. But instead of «promised» changes for the better at the end of 1998 the daily products were again in deficit. By the way, milk, butter, eggs cost approximately the same as in Lietuva (Lithuania), Poland and wages and pensions in Belarus were by 10 and more times less than in those countries.

The beginning of a New Year was marked by activization of worker's and trade Union's movement. It's impossible to bear, any more listening to the authorities and President's promises – this idea is said in the worker's smoking-rooms and at the sitting of the Trade Unions Committee. On January 27, Free Trade Unions organised the first experimental action of protest. 15 thousand of people took part in the march and meeting. This number of people for winter is very significant, because there hadn't been so many people at the action of opposition since the spring of 1997. The certainty that it wasn't the only «measure», but the beginning of mass protest movement not only in the fact that there is no way out of the current economic situation in the country (there are no internal resources, the IMF and the world community don't help Lukashenka's regime and as to Russia there is economic slump there too), but also inflation and lack of money contribute to the loss of fear before the dictator and his people with truncheons. Moreover more and more people in the country start to realise that by establishing different Commissions and Controlling Committees, which is the primary activity of the President, it's impossible to fill shops with products. The belief in Lukashenka, as a «leader of the nation» is losing even among his royal electorate. Before that there was an opinion that there wasn't a politician, a leader in Belarus equal to him and this belief was saving him. But the preparations, started by the Supreme Soviet, for the elections must make it clear to everybody that there are plenty of intelligent, business and practical people in Belarus.



Minsk, 1991...

There are events which are inevitable, subordinated to the course of history. For example, the collapse of the Soviet Union into independent states. Only Belarus sticks to this «dead body» and can't go ahead. I believe that this spring will become sobering for those Belarusans who still believe in phantom. It's necessary to give up hopes for any «Unions» and to start building Our Own House, Belarus, and to realise eventually that Belarus is a European country. This idea may unite all sectors of the population and workers, whom the poverty and hopelessness will bring to streets and squares of our cities. It's high time to cease to believe in nice titles of «integration» and to live with our own mind.

Andrey NALIVA

Syamon Sharetski: «Presidential elections have to take place under any circumstances...»



Syamon SHARETSKI

On January 10, 1999 deputies of the Supreme Soviet of the Republic of Belarus of the 13th sitting came to a decision on conducting of presidential elections on June 16.

Lukashenka's regime showed rather nervous reaction to the events which are going to happen: 3 days before the session of the rightful Parliament of Belarus with the help of the Public Prosecutor Office they tried to intimidate all those, who are loyal to the Constitution of 1994 with «criminal and administrative responsibility». Nevertheless the elections are being prepared...

Our reporter's talk with Syamyon SHARETSKI, the chairman of the Supreme Soviet of Belarus, is devoted to this topic.

— Syamoyn Georgievich, first of all thank you and your colleagues for this decision, guided by principle. The announcement of presidential elections was awaited by many Belarusan people.

— «Thank you» for what? Nothing outstanding has happened. We just acted in accordance with the law. And how when journalists say: «Well, at last the Supreme Soviet declared themselves!» I want to ask: «What could we do? We just waiting for the constitutional term to announce presidential elections» We could do it neither earlier nor later.

— Some observers claim this decision to be illegitimate. As far as I know it was intended to invite all the delegates, elected in 1995 for discussion.

— All the delegates will be invited to the next session which is to take place on February 20. Now we can talk about it. we are going to approve a plan of measures, which putting into action will make it possible to carry out democratic presidential elections. And we'll do everything needed.

— Certainly, it will be democratic. «Turncoats' who joined the Chamber, created by the President will be able to decide for themselves whether to take part in the session, won't they?

— No, in the invitation it will be written that they can take in the session only if they lay down their powers in the «Chamber». They came out of the Supreme Soviet once! Why is our decision legitimate: because there's on explanation of the Constitutional Court of October 11, 1995 which clarifies the composition of the Supreme Soviet and bind of decisions it can take. The resolution on elections has nothing to do with changes in the constitution. That is why the Supreme Soviet is entitled to take it by the majority vote of the delegates, who consider themselves to be delegates. Those who joined the «Chamber» don't consider themselves to be delegates. That is why our resolution is not liable to any dispute: is it legitimate or not. If the Supreme Soviet itself is legitimate – and the majority of those who recognises it and are still its members – passes a resolution then this resolution is undoubtedly legitimate.

— By the way, when does the term of the Supreme Soviet's office finish?

— The term of the Supreme Soviet's office will end only when the new members of it are elected.

— Syamyon Georgievich, are you ready for possible repressions after the well-known statement of the office of the Public Prosecutor?

— This is not my problem – possible repressions.

— In any case, the regime has already started to talk about a «coup d'etat». Have you noticed any strengthening of attention to you and oppression after January 10?

— I always feel oppression. What can be changed here? When Mr. Bazhelka (the General Prosecutor of the Republic of Belarus) started talking about oppression I went to «Svaboda» radio station and warned him and other supporters of oppression that we acted within the requirements of the Constitution. And if somebody takes the blame and assumes responsibility for preventing us from doing it – let him bear the responsibility for their actions. By the way, I warned the state officials about the responsibility twice. I even reminded them about Pinochet: so much time have passed since his resignation but he also will have to answer for his actions. The same is here. We'll conduct the elections all the same, because the Constitution demands it. Moreover, now I visit regional centres where we create regional electoral committees. The next thing to do is to organise district committees.

— What about people? Are they intimidated or not? Are there many people who want to participate in the work, which the authorities are likely to impede?

— You know, I haven't even expected so many volunteers. There are more volunteers than places in the commissions. The number of places is stipulated by law. Regional commissions can be formed of 9 – 16 people and district commissions – from 9 to 12. I suspended the nomination of candidates to the Central Electoral Commission, because 18 people have been nominated already, the 19th is Victar Ganchar, who, as the chairman was nominated before. In accordance with our legislation we cannot nominate more. There were a lot more people who desired to be nominated.

— Syamyon Georgievitch, are there international responses to the Soviet's resolution, except the response of the OSCE?

— Last week we were supported by the Polish Parliament. Its delegates accepted on address to Belarusan people and expressed their support and solidarity.

— May I ask a little bit sore question?

— There are no sore questions for me.

— After the attempt to negotiate peacefully with the regime in November, 1996, when Seleznyov and Stroyev and others visited the country, some of our fellow citizens expressed disappointment. How do you evaluate those events now?

— If we hadn't given in the negotiations the Supreme Soviet wouldn't exist now. We would have been accused of the seizure of power – what would be the next? Unfortunately the impeachment didn't have place. What could we do? Nothing. Only to negotiate.

— Can it happen again, if the OSCE has another attempt to organise negotiations between Lukashenka and the Supreme Soviet with it taking part in them?

— We will accept such a proposal if it is mentioned. But it has nothing to do with the transference of the elections' date! Because that is a constitutional requirement. We will negotiate – but the presidential elections must take place in any case. By the way, in

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Precedent

«Liquidators» start first and ... win ...

I

No doubts that interested people (there are a lot of them all over the country) to remember the campaign on abolition of Chernobyl privileges, conducted by President Lukashenka in 1995. It was a notorious case. But today it turned out that it was easy to abolish privileges. Particularly taking into consideration the methods of the President of the Republic: signed a paper called a decree and that's all. But the consequences of this step are far from being easy. Ministries, officials, and in general all those who are somehow connected with this problem found themselves in a certain judicial position. But now let's turn to the matter of the fact.

A year ago, on January 22, 1998 at Phrunzensky District Court there was a barely noticeable, ordinary, as it seemed, trial. At the trial they were considering a civil lawsuit of the Free Trade Union in the interest of Feaktistaw Uladzimir Andreevich. He complimented of not-competent acts of Municipal economy 83 and Municipal economy A-1 of the Phrunzensky District.

At the beginning it's necessary to say that this case, started by one man, is true to dozens of thousands people, who have certificates of Chernobyl liquidators and it means that all them are participants of liquidation of Chernobyl catastrophe.

Uladzimir Feaktistaw is a liquidator. Under art. 19 of the law «On social security of citizens who suffered from Chernobyl catastrophe», he has a 50% discount on housing and public utilities costs. But ME-83 had abolished this privilege, referring the President's decree of September, 1, 1995 № 349 on «regulations of some privileges for certain categories of people». ME grounded its activities by a departmental normative act – a letter of the Ministry of Housing Economy of the 23 of may, 1997.

But on December 25, 1995 the Constitutional Court of the Republic of Belarus abolished one point of the Presidents Decree because it didn't correspond to the Constitution and the present laws of the Republic of Belarus.

Beginning from September 1, 1995 (after the President's decree) Uladzimir Feaktistaw paid the total sum for housing and public utilities, and since November, 1997 this privilege had been renewed and since July, 1997 it has been again abolished. The reason for abolition was a departmental letter by the Municipal Economy Department – 1. All in all, during this time U. Feaktistaw overpaid the state 1.300.000 roubles. It's not a great sum of money but you understand that this is a case of principal and precedent. Nobody cancelled the decision of the Constitutional Court. Only the court is entitled to do it. And the Phrunzensky District Court made a decision that the acts of ME-83 and a high instance ME-1 are not competent. There are legal grounds of depriving U.Feaktistaw of his rights to pay half as much for housing and public utilities costs. And the defendant's reference to the departmental letter the court found groundless, as such documents have no legal power. They can't cancel a state law. Accordingly, ME-83 will have to make re-computation. The court's decision wasn't appealed and came into a legal force.

II

Perhaps, it's necessary to come 3 years back to remind of certain moments related to the topic of the article.



The decree from September 1, 1995, abolished some privileges to the citizens of Belarus, which were provided by norms of 18 laws. These privileges concerned for example free fare, getting a lean bearing no interest, for building or buying private houses, co-operative housing, paying for housing costs, offering a 50% discount on heating, running water, gas and electricity, free medical and sanatorium treatment and others.

Abolishing of these privileges by the President touched thousands of people in the country. The Constitutional Court took it into consideration while making a decision. I quote: «The Constitutional Court considers that neither the Constitution nor the laws of the Republic of Belarus allow the President to abolish the law or change it. The suspension of execution of the law as well as its separate of norms is the suspension of the law and nothing else. Having suspended the privilege and advantages, provided by laws, the decree under checking in fact has stopped the work of these laws not only in time but also with regard to people. Having preserved the privileges, provided by legal acts, only for a part of citizens the decree has changed the work of these acts in reality. Having adopted this decree, the president took the functions of legislative organ, by doing so he exceeded his authority...»

In our country, the attitude towards law, mildly speaking, has also been suspicious. In principle nothing has changes nowadays. «Our» man understood and understands that a law – is a necessary and useful thing, but in everyday life one should be directed not by judicial, but life laws/

The man with that mentality came to power and once abolished the law...

It's possible to understand the Municipal Economy Department (MED) even after the President decree there are a number of people in Belarus who don't pay housing costs at all or par half as much. But we don't live in the Soviet times, subsidies for maintaining the housing fund are constantly changing. They are advised to look for internal resources. What does it mean? The rise of rent, only. And, of course, following the President's example, it means the crossing of a great group of citizens out of the category of people enjoying privileges...

The illegal wilfulness of one of MED has been stopped by the decision of the Phrunzensky Court. But in this was the precedent has been made. Because Mr. Feaktistaw is one out of thousands of citizens who were deprived of privileges under the President's decree and after the decision of the Constitutional Court were not given back. I believe that the judge who has heading this case, understood that he was making a precedent and rather dangerous: the number of similar lawsuits may exceed the critical limit. On the other hand, the firmness of the law was confirmed by the Constitutional Court and its decision was not abolished.

In fact the district Judge fulfilled the work of the President and the Supreme Soviet and that is more the Constitutional Court in this case. Or that's more likely he was doing the work, which other institutions had failed to do.

The officials who are connected with this problem have also found themselves in the embarrassing position. They have to write departmental instructions, knowing in advance that they don't have any legal force and every court (if they will have a will) will easily find their «decision» not competent.

This case with Feaktistaw is the first but the representatives of Free Trade Union ensure me that it's not the last one. Thousands of liquidators of the Chernobyl catastrophe have a possibility to defend their rights. What would be the reaction of the authorities and the Present to this ordinary decision of the district court.

Syargey SHAWTSOW

January – is the beginning of «Spring»...

The next «Minsk spring» started later than usual this year. The season of street marches and meetings was opened on January 17 by social-democrats from «Narodnaya Gramada», who staged an action to support the independence of Belarus. For the first time in a new 1999 year more than 4 thousand of citizens, who are not satisfied with integration with Russia came into the city streets.

The marchers covered the route, permitted by the Minsk authorities: from Yakub Kolas square to the Opera House, where there was a meeting. The speakers condemned the signing of integration documents on December 25 and they considered President Lukashenka's activity to be a high treason. It was pointed out that the myth about Slavonic unity is essential to the both Presidents in order to divert people's attention from the results of ruling of these «integrators». At the meeting they spoke much about the results, in particular about the poverty of the population. Social-democrats suggested to support unsecured sections of population, for example, pensioners during this economically hard year. Participants of the meeting welcome the activities of the deputies of the Supreme Soviet to renew the Constitution in the country – to announce the date of President's elections and to renew the activity of the Central Electoral Committee. The deputy of the 13th Supreme Soviet, a member of «Narodnaya Gamada», Pavel Znavets on behalf of his colleagues-parliamentarians and called all people to fulfil their civil duty – to note on May 16. The speaker also appealed to the organs of justice of the Republic of Belarus and called them to keep themselves from repressions. At the meeting they also touched upon the problem of the return of the ambassadors of U.S., which took place on the same day. «We consider it to be not at act in the support of Lukashenka's regime but next step in developing international relations for the benefit of the Belarusans, for the support of democracy», - was pointed in the resolution of the meeting.



17th of January, Minsk

It's clear that a number of last Belarusan events contributes to the strengthening of public activity. 4 days later after social-democrats, The Belarusan Popular Front staged a march and a meeting against integration with Russia. Besides, the beginning of this year was marked by a great number of pickets staged by different democratic parties.

Our correspondent

One can insult opponents...

When their ideas don't go with the «state policy»

On January 14 the Minsk City Court reviewed the case defence of honour, dignity and business reputation of a historian, researcher of Communist's repressions, Igar Kuznyatsov. The review was initiated by Kuznyatsow himself and one of the defendants – chairman of the Minsk City Companionship «Historical Knowledge» Alyaxey Khakhlow. As it's known, earlier the Soviet Court partially met I.Kuznyatsow's claims, binding A.Khakhlow to apologise for insult in press in the period of one month. But in the activities of other defendants – A.Zalesky, «Narodnaya Gazeta» as well as the newspaper «Slavyansky Nabat», brought to court at the trial – the Soviet didn't find any impoliteness. We would like to remind that exactly on the pages of the mentioned issued Mr. Zalesky, Mr. Khakhlow and other authors justified repressions, and simultaneously charged I.Kuznyatsow with falsification of our history, with some other sing (which with closer inspection hadn't been confirmed). During the year the members of «Historical Knowledge» moreover used to write denunciation on their opponent in different instances, and finally forced to give up his job at the Economic University.

In the court of the second instance to the list of indictment of the adherents of the «progressive Soviet regime» (exactly those people unites «Historical Knowledge») was added one more count and very 'awful». As it's written in A.Khakhlow's complaint, «Kuznyatsow bears responsibility for political direction of the conference «Political repressions of the XX century» and he is one of the leaders of a large anti-Presidential political provocation». Mr. Khakhlow and his supporters believe that Kuznyatsow, being one of the reviewers, and to prevent the publication of the book, based on the reports of the participants of the conference. The historians was also being charged with making a speech at the conference and even the fact that he took part in it.

Because of the complaint of the Companionship «Historical Knowledge» to the prosecutor's office last autumn one of the organisers of the conference «Political repressions of the XX century» – the Belarusan Helsinki Committee hardly avoided prosecution. It's interesting, that the officials of the prosecutor's office read the collection of report and didn't find any reasons for criminal prosecution neither against scientists, and human rights defenders nor against the victims of the «red terror» (the other organiser was the association of Victims of political repressions). As to Kuznyatsow's case, the same Prosecutor's office of the Republic of Belarus refused A.Khakhlow's request twice, who demanded to cancel the decision of the Soviet Court to apologise for insulting the colleague

One could expect that the City court will either change nothing in the Soviet Court decision or will find the behaviour of all defendants impolite – there were enough grounds for that. At the sitting judges of the City court Zhupikava, Shydlovich and Khudzyuk were not discovered being biased. It's obvious that their final decision was greatly influenced by the real political state of affairs («scientific dispute», as Kuznyatsow' opponents said).

So the opinions of adherents of communist's terror in «Narodnaya Gazeta» and «Slavyansky Nabat» were found completely correct and permissible by the court. Commenting on this decision, Igar Kuznyatsow said that he has no illusions about other judicial institutions under the current «legal Chernobyl», but he wants to appeal to the Supreme Court. Kuznyatsow thinks that the Minsk City Court in fact sanctioned the moral violence of the state and adherents of the Soviet regime with regard to any cases of differently minded people.

Yana ZHDANOVICH

Events, facts, comments

(Continued from p.1)



27th of Januapy, Minsk...

On December 17, a minor Stanislaw Karashchnka, beaten by unknown people in civil clothes on December 8, 1998 and brought to the militia got an reply on his complaint from the Prosecutor's office in the Central District. The reply says: «The prosecutor's office has examined the case and haven't discovered any facts proving that the militiamen had exceeded their authority. Under such circumstances the Prosecutor's office of the Central District doesn't find sufficient grounds for taking measure by the Prosecutor's office. If you are dissatisfied with this decision, you have a right to appeal to the Minsk Prosecutor's office».

On January 17, there was a march and a meeting staged by social-democratic party «Narodnaya Gramada» aimed against integration with Russia. The applicants of this action had planned to march from Yakub Kolas square to Kastrychnitskaya square to hold a meeting there. The Minsk Executive Committee didn't permit to stage a meeting in Kastrychnitskaya Square referring to the decision on «a particular position» of this square (it's situated nest to the Presidential Administration).

The Social-democratic meeting together with participation of other democratic forces of Belarus took place in Paryzhskaya Kamuna Square.

In January, 1999 a famous Belarusan advocate Gary Paganyayla sent in the EU countries, European Institutions and embassies of neighbouring countries an appeal, in which he calls to influence on the position of the Belarusan authorities concerning the imprisoned ex-chairman of joint-stock venture «Rassvet» Vasil Staravoytaw. The authorities didn't pay attention to the opinions of efficient experts, who affirm that numerous diseases of a 75-years old prisoner have to be treated immediately.

On January 18, during the picket, staged by the Belarusan Popular Front «Adradzhenne» Anatol Kryvarot, secretary of the BPF administration, was detained. He had been recognise on the pictures, taken by special detachment on December, 6 at the meeting dedicated to the 50th anniversary of the Universal Declaration of Human Rights. At the Central Court judge Anatol Barysionak gave a warning to A.Kryvanos.

On December 20, the editor of the Vitsebsk opposition newspaper «Vybar» Barys Khamayda appealed to Jewish organisations of the USA, France and Great Britain. In this appeal B.Khamayda asks collaboration concerning the release of Uladzimir Pleshchanka, chairman of branch of the BPF, from the custody. He has been in prison for 5 months already and is suspected of dismantling of the monument to the Russian commander Suvorov. B.Khamayada speaks in his appeals about his mother, who was saved in the spring of 1942 when fascists had destroyed the Jewish ghetto in Kalyshki, Liozna district. Khamayda's mother was saved from being shot by a local citizen. «Nowadays a Belarusan needs help, like at that time my relatives needed it. I ask you – help us for save the life of my Belarusan friends, Uladzimir Pleshchanka,» – says the appeal.

On January 20, the secretariat of the Belarusan Language Association (BLA) named after Frantsysk Skaryna wrote an statement, which says: Both of the papers signed on December, 25, 1998 in Moscow by The President of the Republic of Belarus A.Lukashenka and the President of the Russia federation B.Yeltsin of the agreement on equal rights of citizens and their covenant to prove equal possibilities for subject of economy are against the widely accepted diplomatic traditions – they are written only in one language – Russian. By doing so, they openly express their disrespect to the official language of the country.

On January 21, in Minsk two minor girl – Lyashkova Tatsyana (14) and Charvyakova Volga (15, a student of the Belarusan Humane Lyceum) were detained. They were distributing leaflets, inviting to the authorised meeting on January 22. They were detained by an inhabitant of one of the houses, in which the girls were dropping leaflets into mail-boxes. He showed them the identification card of a militiamen, dialled 02 and called the car. 30 minutes later a police car arrived and the girls were brought to Soviet Department of Internal Affairs, where they made a report, then called their parents to take their children home.

On January 21, in Slutsk, Minsk region, there was a trial on activists of the Belarusan Popular Front «Adradzhenne» Mikalay Antsypovich (senior lecture on philosophy at the Belarusan State Politechnical Academy) and a pensioner Genadz Bankevich. They were charged with participation in non-authorised march on November, 29 when 78th anniversary of Slutsk anti-Bolshevik rising was marked. The buses from Minsk were booked on the name of Mikalay Antsypovich and it was the main ground for judge S.Pastukhova to come to the conclusion that he was an initiator of this action. According to the tradition, the militiamen were present as witnesses. Pensioner Genadz Bankevich was in hospital and that's why he couldn't come to the trial but nevertheless judge S.Pastukhova brought a verdict a 40 mln. rouble fine. Mikalay Antsypovich was fined for 20 mln roubles.

From January 21, to January, 23 in Minsk and other towns the BPF staged a number of pickets (All in all more than 60) against Belarusan-Russian integration, as well as against abrupt poverty of the population. The actions were dedicated to the planned on January, 21 sitting of the Parliamentarian Meeting of Belarusan-Russian Union.

On January 22, in Minsk there was a meeting and a march against serious breaking of the constitution of the Republic of Belarus – the signing of the next papers on Belarusan-Russian integration. The action was organised by the BPF with participation of all democratic forced of the country. At the end of the meeting the militiamen of the central Department tried to detain the head of public reception of the Human Rights Centre «Viasna-96» Lubow Luniova, in order to take her to the central Department to make a report for participation in a non-authorised meeting on December, 6. L.Luniova didn't agree to get into a car and the youth rushed to help her and the militiamen were forced to step back. In the evening the militiamen were waiting for L.Luniova near her house but she managed to pass with them.

On January 25, The Minsk Executive Committee cancelled the decision not to allow to hold the Congress of democratic forces in the Palace of Culture of the limited company «Sukno». The congress took place on January 29 – 30.

On January 26, the board of Kiraw Court headed by Nadzeya Chmara decided to expel from the sitting-hall the Public representations. The Judge said that all is a temporal measure and the doors of the court will be close till the medical expertise of the mental state of Vasil Staravoytaw is finished. The conduct of such an expertise in the court – is an unprecedented case.

On January 26, in Minsk near Tractor Plant minor Stanislaw Karashchanka and Zmitser Bunchuk were detained. They were sticking leaflets inviting people to join «Malady Front» and the leaflets which engage in propaganda for national music. «Listen to Belarusan!» S. Karashchanka and Z. Bunchuk were brought to Partyzansky Department of Internal Affairs, were they made a report. They are accused of violating Art. 143, p.3 – sticking announcement in unsuitable places. Under this article they may be warned or fined in the size of one minimal pay.

On January 26, Barys Khamayda, activist of Vitsebsk branch of the BPF editor of the opposition newspaper «Vybar» has been detained. He came into the street with a slogan: «Let Pleshchanka off». B.Khamayada was instituted administrative proceedings under art. 167.1 part 2 and got 15 days in detention.

On January 27, in Minsk there was a meeting in which took part the Free Trade Union, The Trade Union of AAB (automobile-agriculture building) the trade Union of radio-electronic industry and the trade Union entrepreneurs. That day the two main market of the capita (Kamarowsky and on stadium Dynamo») had stopped their word to express their solidarity with the trade Unions. The action started at 16.00 From different city districts marchers started to converge near the place of Sports where there was a main meeting. Approximately 12.000 people took part in the action. At the end of the meeting they adopted a resolution. In it the participants of the action demand our President and the Government to execute the resolution of the republican Congress of the representatives of workers and trade unions from the 21 May, 1998: to stop inflation and rising prices, to consider the pay to be the most prominent repayment, to cut off taxes from citizens and enterprises, to provide workers and Trade Union with some time in public mass media.

On January 27, The Board of the Belarusan writers adopted a statement, directed against attempt of integration with Russia. The change of the national status of the Republic of Belarus is nothing more than ignoring national interests and can't be considered legitimate because it's against the Belarusan Constitution – the statement says.

A Christmas Present for Prisoners

Since December, 1998 in Minsk prison the norms of accepting parcels have been changed. Before that time prisoners could receive one food parcel neighing not more than 8 kg. once a month. Now they can receive parcels of not more than 15 kg. twice a month.

The personnel of the prison explained that it had been done because of Christmas holiday. But the new norms are likely to remain. Nobody is going to reduce them. It's worth mentioning that these norms grew only in Minsk. In other cities and towns in Belarus they remain the same – only 8 kg and once a month.

Now in Minsk prison they accept tinned meat. It was forbidden before as it was forbidden to keep any metal things in cells not to injure cell-fellows or oneself. They say, now a «corridor cop» opens the tins. Previously it was prohibited to pass milk products; now accept cheese and condensed milk. It means that the range of products broadened considerable. In the room where they accept parcels there is note that it is forbidden to accept juices and drinks in Tetra Pak packages. It can be explained by the fact that before holidays there were attempts to pass strong drinks.

For a prisoner, who lives in an overcrowded cell with less than 1 sq. m. per person, a parcel is the biggest joy. Every prisoner knows approximately when they are to get a parcel and looks forward to this day.

It happens that a prisoner doesn't receive the whole parcel but it is impossible to prove it. The parcel is weighted but there are no scales in the cell and that is why it is impossible to check the weight. When a cop is carrying cigarettes to the cell it's very difficult for him to keep himself from taking some. Because after work he will have to pay money for cigarettes. Cops' families can be quite economical at the cost of prisoners' families. That is why the extension of norms is favourable not only for prisoners. It is clear that the norms were extended not only to please the convicts and not only because of the holidays. To live on a poor prison ration is very difficult. In such a way the administration takes a part of responsibility for prisoners' malnutrition off.

These changes also must be connected with integration process – in Russia the norms were also extended.

Mikola KACHAN

«Presidential elections have to take place under any circumstances...»

(continued from p.3)

the agreement of 1996 it was stated that there had to be by-elections of the Supreme Soviet delegates. And we are always ready to negotiate.

— The opinion is expressed that even Alexander Lukashenka can take part in the elections on June 16.

— It is a problem of him! Nobody prohibited him to participate. He has the right. But it is very unlikely!

— How should the work with Belarusan mass media be carried out? Will the informational resources be enough for democrats?

— But we haven't got other mass media. It is necessary for democratic press to act in more responsible way. And it's no use discussing opposition now. It could be done half a year ago but now it's worthless. Maybe it is desirable for someone that the Supreme Soviet has only accepted a resolution. There were proposals to do only that. But we have accepted a constitutional resolution and will put it into action, whatever will happen. I would like to stress that our decision is a legal resolution, not a political one, where there are no actions.

— What is your opinion: are there those among active democratic forces of Belarus who reacted negatively to this resolution?

— There are no yet. It is a political suicide to declare that somebody doesn't support the requirement of the Constitution. What does he support in this case? The regime?

— These days The Congress of democratic forces of the country is going to take place. Will the resolution about the nomination of candidates for President's position be accepted?

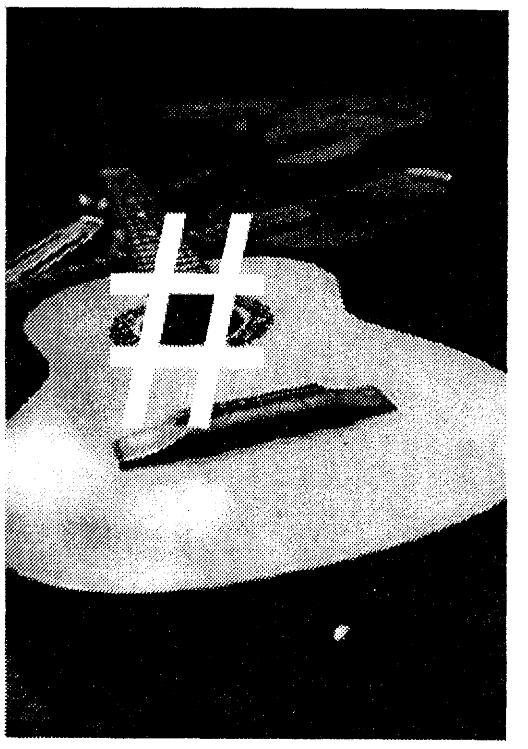
— There won't be such resolution. Because in this case the elections won't be democratic. We shouldn't forbid anybody to nominate him or himself for elections. The Supreme Soviet and Constitution guarantees this right to be nominated. But it will demand the fulfilment of the principles stated by the law.

— Do you intend to nominate yourself for the position of President?

— No, under no circumstances. I made an announcement before. Otherwise Lukashenka will conduct propaganda that I make everything for myself. Ambitions must be on the 30th place. The main thing here is our country and people...

A Trip behind Bars

By Andrey Melnikau



On Monday after midday I hear my name from behind the door – I am called out. In a minute the door opens. Where do they take me: to a meeting, interrogation, examination or to the lawyer. It is unknown yet. On can know it only there. There is something positive in it – you train your intuition: with time you can guess almost without mistakes where and for what you are taken.

So, I not experienced yet, having thrown a jacket on, come out. While stretching my legs see an athletically looking lad in a red sports suit. He has a sack in his hand and a mattress under his arm. I know him already. That is N., he returned to our «apartment» from a regular stage and he is met with cheerful cries.

I am taken to an interrogation. Touratch - the investigator, tells me the advocate hasn't been found yet and suggests that we should start the talk without him. He promised me a meeting with my wife, who is in Garodnya (Grodno) now. having taken everything into consideration I agree to talk (to be interrogated).

In general, the questions are connected with my biography; then gradually, it approaches my being in the forest near the border. I repeat a story about gathering mushrooms. It sounds smooth. But I make a mistake: I say that gathering mushrooms I moved towards the border.

Then, suddenly I realise what I have said and tell the investigator I won't continue our talk without my advocate. Touratch insists that I should explain why I've refused to give evidence. And I make another mistakes: I say that sometimes I have black-outs.

The two mistakes were used by the investigation. The first one, though indirectly, painted out the deliberate nature of the action; the second one was evaluated as an attempt to confuse KGB and avoid responsibility.

Then I realised my naivety and inexperience: one shouldn't recognise his or her responsibility even partially during the investigation. Not until it is proved. He, who has done it is an accused already for the investigator. People who know Belarusan laws are aware of the fact that if one has recognised his (her) responsibility, it will make the conditions of the imprisonment better and the punishment milder, but it also will make the term longer. Having recognised the fact of crossing the border and moving towards it I didn't so much make the conditions better as proved the fairness of my being behind bars.

Then I took the way of «denial of the crime» and «impeding to establish justice». The comfort vanished, but I didn't feel sorry: it wasn't a very pleasant thing to have comfort in prison.

After my singing the examination record with the two mistakes, Touratch asked my wife in. She looks very tired and nervous. Her first words are: «You are such a fool..!»

My wife was in Smargon and she is sure that I would have been released long before it. I was not so «clever». «Are you going to let him off?» she asks Touratch. He frankly keeps silent.

The advocate has been found and next day will visit me, my wife informs me. Also I will soon receive «parcels». There are «blessed apples» in one of them and I should eat them all alone (if she only knew how much this «alone» can cost). She worries whether she has put red slippers (with them the problem can be only funny – here the rational wins and leaving the prison these slippers will be left for somebody else. I hope they will be their size).

Thanks God, my wife is here and she will do everything needed. First of all we need to make a stir in mass media – my supporters should know where I am. I am just an ordinary convict till there is no reaction of the public. If I am kept as an ordinary one I will have to stay in prison before the trial.

The meeting is over. Coming up to the prison van I see my brother-in-law, his wife Larysa (who have come with my wife) and Dzima Kisel, a journalist from «Pagonya». I greet them joyfully. They answer but I can't say their faces are joyful... Next time I will see them many months later, after my release.

After the meeting my wife had a talk with the main oppositioner of Grodno region – Syamion Domash – and a well-known advocate – Garry Paganyayla. Then her actions were opposite to my requests.

I return to our «apartment». My fellows say that cops have brought a parcel for me but haven't left it, so they'll bring it tomorrow.

There's supper on the bed-table. I have to mention that my «colleges» always» keep meals for those who are taken outside for interrogation or meetings, no matter what the relationship between them are. They are puzzled that I have the second interrogation in four days. It is a proof that I'm not an ordinary convict. Ordinary convicts meet with the investigator once or twice a month.

Next morning I'm taken to meet the advocate. We pass the inside yard and the special building where all the rooms are bugged.

If there hadn't been bars I would have never get to know this person. He gave me a lot of practical knowledge. Dealing with Uladzimir I learnt how important the language of gestures is and that an advocate's work is not only that in the court-room but outside also. Invisible majority is the most important thing for success. The trial is for mass media.

With the appearance of N. in our apartment it immediately becomes «right». Z. doesn't present himself as an expert of principles any more, only from time to time grumbles towards N. I want to find Aleg. N. teaches me, while he is not in a hurry. He is supported by the Banker (as it turned out his friend in our «apartment»). They say: «First, new-comers should look closely and get accustomed». As soon as N. agrees to teach me gunfu he is deported under the guard.

(to be continued)

(Continuation. Beginning in №№ 15-25)

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